

REMARKS

Claims 1-68 are all the claims pending in this application. By this Amendment, claims 8, 9 and 13-68 are canceled without prejudice or disclaimer. Selected claims are amended to expedite prosecution and further define the invention. In view of the foregoing amendments and following comments, reconsideration and allowance of all the rejected claims are respectfully requested.

Applicants thank the Examiner for granting a personal interview to the Applicants' representative on March 16, 2005.

REJECTION UNDER 35 U.S.C. §101

Claims 1-12 are rejected under 35 U.S.C. §101 because the claimed invention is allegedly directed to non-statutory subject matter. Independent claim 1 is amended to overcome this rejection. Therefore, the Examiner is requested to remove this rejection.

REJECTION UNDER 35 U.S.C. §102

Claims 1-12 are rejected under 35 U.S.C. §102(e) as allegedly being anticipated by Nagler (Patent Application Publication US 2001/0039508). Applicants respectfully traverse this rejection on the following basis.

As discussed during the personal interview, Applicants believe that the claims are patentable over this reference for several independent reasons. One reason is that the claimed invention creates a demand component based on several factors. Another reason is that the claimed invention creates a supply component based on several factors. Additionally, selected features of the demand component and the supply component are combined to evaluate risk and

return characteristics. Other bases for patentability exist. None of the cited art of record is believed to teach or suggest these features, either alone or in combination.


Having addressed each of the foregoing rejections, it is respectfully submitted that a full and complete response has been made to the outstanding Office Action and, as such, the application is in condition for allowance. Notice to that effect is respectfully requested.

If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned attorney at the number provided.

Dated: April 12, 2005

Respectfully submitted,

Customer
No. 00909


James G. Gatto
for Registration No.: 32,694

PILLSBURY WINTHROP SHAW PITTMAN LLP
P.O. Box 10500
McLean, Virginia 22102
703-905-2000